

REMARKS

Reconsideration of the above-referenced application is respectively requested in view of the above amendments and these remarks. Claims 1, 3-9, 11-15 and 16-20 are currently pending.

Claim 20 is objected to for containing an informality. Applicants have corrected the misspelling in accordance with the Examiner's helpful suggestion.

According to the Office Action, claims 1-21 are rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,665,521 B1 to Gorday. Applicants have carefully reviewed Dailey and in particular the sections cited in the Office Action. Applicants have amended independent claims 1, 9, 15 and 20 to address the rejection. Applicants have cancelled claims 2, 10, 14 and 21 and have made corresponding amendments to other dependent claims. Applicants have amended the independent claims to indicate that the present invention is directed to a group call in which the mobile units that are a part of the group call can communicate with one another. In addition, Applicants have amended the independent claims to clarify that the pages are sent to establish the claimed group calls. Accordingly, applicants have clarified the claimed invention to be directed to group calls for communication between the mobile units instead of to a pager in a paging system.

Gorday is directed to a wireless communication system that uses a method of improving diversity gain by utilizing a first network operating with a first protocol and at least a second network formed from a plurality of cooperative wireless devices operating with a second protocol and at least the first protocol. The method includes the step of receiving as signal using the first protocol at one or more of the plurality of cooperative wireless devices intended for a targeted member of the plurality of cooperative wireless devices and the step of processing the signal cooperatively among the plurality of cooperative wireless devices in order to increase diversity gain of the signal to the targeted member. As understood by the Gorday's Figures and the specification, Gorday is directed to pagers and a paging system where the individual wireless devices do not participate in group calls with one another. In addition, the pages that are cited in the Office Action are the actual communications to which the Gorday's invention is directed.

Those pages are not used to establish group communications between the mobile units as required by the present claims.

In view of the foregoing, Applicants respectfully submit that Gorday does not disclose the present invention as found in independent claims 1, 9, 15 and 20. In particular, Gorday does not disclose the group call between the mobile unit and that the group calls are established using the claimed pages. Accordingly, it is respectfully submitted that independent claims 1, 9, 15 and 20 are not anticipated by Gorday. As claims 3-8, 11-14 and 15-19 depend upon and include the limitations of claims 1, 9 and 15, respectively, Applicants submit that these dependent claims are not anticipated by Dailey for the same reasons. Applicants therefore request that the rejection under Section 102(e) be withdrawn.

As the Applicants have overcome all substantive rejections and objections given by the Examiner and have complied with all requests properly presented by the Examiner, the Applicants contend that this Amendment, with the above discussion, overcomes the Examiner's objections to and rejections of the pending claims. Therefore, the Applicants respectfully solicit allowance of the application. If the Examiner is of the opinion that any issues regarding the status of the claims remain after this response, the Examiner is invited to contact the undersigned representative to expedite resolution of the matter.

Please charge any fees associated herewith, including extension of time fees, to
50-2117.

Respectfully submitted,
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